



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 17/06/2019

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PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.8252 of 2019

1.M.Vinoth
2.M.Vijay
3.M.Arun @ Arunpandi
4.M.Ashok
5.P.V.Pandiyarajan
6.M.Pandi @ Raja Pandi

... Petitioners/Accused
Rank Nos. 2 to 6 and 10

Vs

State through
The Inspector of Police,
Karuppayoorani Police Station,
Madurai District.
Crime No.81 of 2019.

... Respondent/Complainant

For Petitioners : M/s.I.Sabeer Mohamed,
Advocate.

For Respondent : Mr.V.Neelakandan,
Additional Public Prosecutor.

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

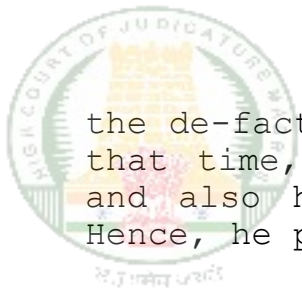
For anticipatory bail in cr.no.81 of 2019 on the file of the respondent police.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 294(b) and 427 of IPC @ 147, 148 and 294(b) of IPC and Section 3(1) of TNPPDL Act, seek anticipatory bail.

2.Heard both sides.

3.The learned counsel appearing for the petitioners has submitted that the petitioners are innocent persons and a false case have been foisted against the petitioners. He further submitted that



the de-facto complainant has conducted a drama in the village and at that time, the de-facto complainant did not allow the petitioners and also he attacked the petitioners and damaged their property. Hence, he prayed for granting anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor has submitted that the de-facto complainant has conducted a drama in the village and at that time, the de-facto complainant did not allow the petitioners, due to which, the petitioners and other accused persons came to the spot and damaged the dupe-light and banner worth about Rs.1000/-. However, he strongly opposed this petition, as investigation is still pending.

5. Taking into consideration of the aforesaid submission, the allegation levelled against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, each of the petitioners shall deposit a sum of Rs.1000/- (Rupees Thousand Only) to the credit of Crime No.81 of 2019, before the learned Judicial Magistrate No.II, Madurai and on such deposit the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Madurai and the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] If the petitioners fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

[b] the petitioners shall report before the respondent police, daily at 10.30 a.m for a period of three weeks and thereafter, as and when required before the respondent police for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].



[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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17/06/2019

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1.The Judicial Magistrate No.II,
Madurai.
- 2.Do-Through The Chief Judicial Magistrate,
Madurai District.
- 3.The Inspector of Police,
Karuppayoorani Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.I.SABEER MOHAMED, Advocate (SR-9908[I] dated
18/06/2019)

ORDER
IN
CRL OP(MD) No.8252 of 2019
Date : 17/06/2019

sjj
TK/VR/SAR.1/21.06.2019/3P/6C